

Ten years ago, May 20, 1988, the federal debt stood at \$2,523,014,000,000 (Two trillion, five hundred twenty-three billion, fourteen million).

Fifteen years ago, May 20, 1983, the federal debt stood at \$1,288,467,000,000 (One trillion, two hundred eighty-eight billion, four hundred sixty-seven million) which reflects a debt increase of more than \$4 trillion—\$4,213,671,799,604.60 (Four trillion, two hundred thirteen billion, six hundred seventy-one million, seven hundred ninety-nine thousand, six hundred four dollars and sixty cents) during the past 15 years.

U.S. FOREIGN OIL CONSUMPTION FOR WEEK ENDING MAY 15TH

Mr. HELMS. Mr. President, the American Petroleum Institute's report for the week ending May 15, that the U.S. imported 8,562,000 barrels of oil each day, an increase of 728,000 barrels over the 7,834,000 imported each day during the same week a year ago.

Americans relied on foreign oil for 57.3 percent of their needs last week. There are no signs that the upward spiral will abate. Before the Persian Gulf War, the United States obtained approximately 45 percent of its oil supply from foreign countries. During the Arab oil embargo in the 1970s, foreign oil accounted for only 35 percent of America's oil supply.

Politicians had better give consideration to the economic calamity sure to occur in America if and when foreign producers shut off supply—or double the already enormous cost of imported oil flowing into the U.S.—now 8,562,000 barrels a day.

RESPONSE TO VACANCY CLAIMS

Mr. HATCH. Mr. President, I rise today to respond to a floor speech my good friend and colleague Senator LEAHY recently delivered. In that address, Senator LEAHY once again brought attention to the so-called vacancy crisis that is facing our Federal Judiciary. Now, I don't blame Senator LEAHY for that. After all, that is his job. He needs to press us a bit to move judges for the Clinton Administration. And indeed, we had some disconnects in the past that prevented us from holding hearings on perhaps as many judges as we would have liked.

That having been said, I am pleased that Senator LEAHY and I have worked out some of the kinks in the process and have worked together to ensure that qualified nominees are confirmed. Similarly, I am happy to report that I have worked over the last few months with White House Counsel Chuck Ruff to ensure that the nomination and confirmation process is a collaborative one between the White House and members of the Senate. I think it's fair to say that after a few bumpy months in which the process suffered due to inadequate consultation between the White House and some Senators, the process

is now working rather smoothly. I think the progress is due to the White House's renewed commitment to good faith consultation with Senators of both parties. I also want to compliment Senator LEAHY for his willingness to work with me to get hearings scheduled for nominees. Let me take a moment, however, to correct some of the pernicious myths that persist on the subject of the confirmation process.

Quite simply, contrary to what you may have read in the popular press, there is no general vacancy crisis. So far this year, the Senate has confirmed 26 of President Clinton's nominees. We have confirmed a total of 62 Judges this Congress, in addition to a number of Executive branch nominees. In fact, 266 active Federal Judges, or roughly 35% of all sitting Article III judges, were appointed by this Administration. As of today there are 768 active Federal Judges. What does that number mean? It means that there are currently more sitting federal judges hearing cases than in any previous administration. In fact, since becoming Chairman, I have yet to cast a vote against a single Clinton judicial nominee.

Just as a matter of comparison, at this point in the 101st and 102nd Congress when George Bush was president and Democrats controlled the Senate, there were only 711 and 716 active judges, respectively. Thus, we have 50 more sitting federal judges today than we did in 1992, yet some would have us believe that our federal courts are being overwhelmed by a tidal wave of cases.

Keep in mind that the Clinton administration is on record as having stated that 63 vacancies is virtual full employment of the federal judiciary. The Administrative Office of the U.S. Courts lists the current number of federal judicial vacancies as 76, a far cry from the "nearly 100" I have heard some claim. In fact, by the administration's own admission we are 13 judges away from a fully employed federal judiciary. Which begs the question: if we are only 13 judges away from full employment how can we be mired in a vacancy crisis? Only 13 judges out of 843 authorized—I think it is time to put the vacancy crisis argument to rest.

Moreover, let's compare today's vacancy level of 76, with those that existed during the early 1990's when the Democratic and Republican parties' fortunes were reversed. In May of 1991, there were 148 federal judicial vacancies. One year later, in May of 1992, there were 117 federal judicial vacancies. I remember those years. I don't, however, remember one comment about it in the media. I don't recall one television show mentioning it. I don't recall one writer writing about it. Nobody seemed to care. Nobody, that is, except the Chief Justice of the United States, William Rehnquist. Back then, in his year-end report, he called upon the Democratically controlled Senate to confirm more judges, much like he

did this past year. Yet no one seemed too concerned about the Chief Justice's comments back then. Now, when we have a Democrat in the White House, all of a sudden it has become a crisis when we have virtually half the vacancies today that we had in 1991. And it becomes a crisis even though the Chief Justice's message is virtually the same now as it was back then.

I also think it important to note that at the end of the Bush Administration, there were 115 vacancies, for which 55 nominees were pending before the Judiciary committee. None of those 55 nominees even received the courtesy of a hearing, however. Compare this to the 65 vacancies remaining at the end of President Clinton's first term. I think there is quite a difference.

Some have mentioned a deliberate effort among Republican members of the Senate to unduly delay the confirmation of Judicial nominees. Nothing could be further from the truth. The judiciary committee has in fact processed nominees at a remarkably fast pace this session. Of the 25 nominees currently pending in the Judiciary committee without a hearing, 10 were received since April. Today, there are only 5 nominees pending on the Senate Floor, and I expect that we will vote on their confirmations before the session ends.

A good deal has been said by critics with regard to the vacancies on the Second and Ninth Circuits. It is true that these two circuits have had unusual difficulties. It should be mentioned, however, that nominations to the Ninth Circuit were held up to decide whether the Circuit should be split or not. Now that a commission is in place to study that issue, we have been able to move a number of Ninth Circuit nominations. In fact, we have confirmed more judges to the Ninth Circuit—three—than to any other circuit. Of the five Ninth Circuit judges still pending in the Senate, two have had hearings and one is pending on the floor. We received two of the other nominees only this session. And there are still vacancies remaining on that circuit—two vacancies of which have not even received a nominee. And one of those vacancies has been open since December of 1996.

This represents a failure not on the part of the Judiciary Committee but on the Clinton Administration. President Clinton's failure to nominate judges expeditiously has in fact slowed the process, as the committee is left with an increasingly smaller base of qualified nominees to hold hearings on. In fact, fewer than half of the current vacancies have nominees pending, with many of those having incomplete paperwork. Rather than succumbing to the petulance of finger pointing, we all would be better served by an administration committed to sending us qualified nominees as expeditiously as possible.

Now, we also acknowledge that there have been problems with confirming